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PREPARATORY COMMITTEE FOR THE UNITED
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Working Group III
Agenda item 3

PRINCIPLES ON GENERAL RIGHTS AND OBLIGATIONS

China and Pakistan*: draft decision

Rio de Janeiro Charter/Declaration on Environment and Development

The Preparatory Committee for the United Nations Conference on Environment and Development, recalling General Assembly resolution 44/228 of 22 December 1989, decides that the following should constitute the Rio de Janeiro Charter/Declaration on Environment and Development to be adopted at the United Nations Conference on Environment and Development, to be held in Rio de Janeiro:

Rio de Janeiro Charter/Declaration on Environment and Development

The United Nations Conference on Environment and Development,

Having met at Rio de Janeiro from __ to __ June 1992,

Conscious that humankind lives in a dynamic but fragile Earth,

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* On behalf of the States Members of the United Nations that are members of the Group of 77.

Considering the state of poverty in which many peoples of developing countries live,

Recognizing that the duty to promote the integral development of all demands a corresponding solidarity in seeking to promote an ever better quality of life for all, as well as the protection of the environment which supports that life,

Recognizing the need continually to develop and review environmentally sound principles and guidelines without prejudice to general economic development,

Considering overall developments in international relations in recent years which, despite setbacks, offer unprecedented opportunities for progress in international cooperation, aware of new and increasing threats such as unacceptable poverty and unsustainable lifestyles of the affluent, as well as environmental deterioration jeopardizing the long-term survival of the fragile ecosystem, and conscious of the political imperatives of the interdependence between nations,

Aware that the integration of environment and development rests upon the attainment of a socially and economically just world,

1. Affirms that sustainable development for present and future generations, for humankind to live in harmony with nature, environmental and developmental concerns must be integrated;

2. Calls upon people, organizations and Governments to move with resolution and determination to exert common efforts for the protection of the environment and the achievement of development;

3. Calls upon all States and peoples to observe and implement the following principles in a spirit of partnership to restore the ecological balance of the Earth:

Principles

Principle 1

Human beings are at the centre of environmental concerns. They are entitled to a life of well-being and dignity which allows them to live in harmony with the environment.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or

control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The inalienable right of States and people to development must be fulfilled in order to meet the environmental needs of present and future generations. Equity within the present generation shall take into account environmental damage caused in the past, as well as the developmental and environmental needs of present and future generations.

Principle 4

Environmental protection shall be viewed as an integral part of the development process and cannot be considered in isolation from it.

Principle 5

The special situation and needs of developing countries, particularly the least developed countries, their right to achieve their full economic potential, and the eradication of poverty shall be fully taken into account in any international action taken with respect to environment and development.

Principle 6

States, organizations and individuals shall cooperate in good faith and in a spirit of partnership in the effort to eradicate poverty.

Principle 7

All States share a common but differentiated responsibility for containing, reducing, and eliminating global environmental damage and for restoring the ecological balance of the Earth, in accordance with their respective responsibilities and capabilities.

The major cause of the continuing deterioration of the global environment is the unsustainable patterns of production and consumption, particularly in developed countries. All countries, particularly developed ones, shall make commitments to address their unsustainable patterns of production and consumption.

In view of their main historical and current responsibility for global environmental degradation and their capability to address this common concern, developed countries shall provide adequate, new and additional financial resources and environmentally sound technologies on preferential and concessional terms to developing countries to enable them to achieve sustainable development.

Principle 8

States shall strengthen endogenous capacity-building in order to promote sustainable development, particularly in developing countries. Effective international cooperation in research, development and application of environmentally sound technologies is crucial for environmental protection. The free access to, and transfer of, state-of-the-art scientific and technical knowledge, experience and information shall therefore be supported and ensured to strengthen national scientific, technical and technological capabilities in the field of environment and development.

Principle 9

States shall develop further national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious manner to develop further international law regarding liability and compensation for environmental, human and economic damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 10

As the largest part of the current emission of pollutants into the environment, including toxic and hazardous wastes, originates in developed countries they shall be responsible for combating such pollution and ensuring that toxic and hazardous wastes, including dangerous genetically modified organisms and radioactive waste, are disposed of in the proximity of their production.

Principle 11

At the national level, the management of the environment is best achieved when the issues are handled with the full participation of all citizens, with due concern for the appropriate and relevant community levels. Each individual has the right to be informed of the state of the environment and of all activities that may have a negative impact on the environment and to participate fully in the decision-making process affecting the environment.

Principle 12

Precautionary measures by all States to protect the environment, in accordance with their capabilities, must anticipate, prevent, attack or minimize the causes of and mitigate the adverse consequences of environmental damage. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental damage. The measures adopted should take into account different socio-economic contexts.

Principle 13

States shall respect and conserve ecological, social and cultural diversity. Environmental standards, management objectives and priorities valid for developed countries may be inappropriate and of unwarranted economic and social cost for developing countries.

Principle 14

The promotion of economic growth is essential to address problems of environmental degradation. States shall cooperate to promote a supportive and open international environment that would result in sustained economic growth and development in all countries. In the absence of a universal, multilaterally agreed international consensus, environmental considerations shall not be used to justify restrictive trade practices, including those framed as new forms of conditionality.

Principle 15

Measures taken in a specific country to reduce or control activities and projects harmful to the environment shall not lead to the displacement and transfer of these activities or projects to another country.

Principle 16

All States shall promote agricultural development policies based on the economically rational, efficient and sustainable use of the factors of production and resources, and shall avoid production practices which, in addition to distorting internal and external markets, have environmentally detrimental effects.

Principle 17

All efforts shall be made by the international community to help States afflicted by natural disasters.

Principle 18

States shall give urgent attention to and shall embark promptly on innovative measures, including legal instruments, to halt and reverse the process of desertification, as well as to alleviate the threat to the survival of some small island States and of low-lying coastal, arid and semi-arid areas.

Principle 19

States and people shall, in accordance with their capabilities, strengthen their efforts to rehabilitate degraded ecosystems and ecological processes in order to restore the ecological balance of the Earth and to prevent further deterioration of the environment and to lead to its enhancement.

Principle 20

The role of women in all activities should reflect their central importance. Issues of special concern to women must be integrated into all aspects of environmental and developmental activities.

Principle 21

States and people recognize that the productive activities of indigenous cultures and local communities are of the utmost importance and will continue to contribute to the achievement of sustainable development. The heritage and knowledge of indigenous people and local communities add to the positive contribution in safeguarding and rehabilitating their natural environment. States should ensure the effective participation of indigenous people and local communities in decision-making process on matters pertaining to sustainable development.

Principle 22

Policies promoting or perpetuating apartheid, racial segregation, discrimination, colonial and other forms of oppression and foreign domination stand condemned and must be eliminated. The environment and natural resources of people under such oppression, domination and occupation shall be protected.

Principle 23

Employing methods or means of warfare which are intended or may be expected to cause widespread, long-term and severe damage to the natural environment shall be treated as a war crime. States must strive to reach prompt agreement on the complete elimination and destruction of weapons of mass destruction. The use of such weapons is a crime against humanity and the environment.

Principle 24

Peace, development and environmental protection are indivisible. Any international regime cannot be considered equitable and just if it ignores the disparities in standards of living between nations and is insensitive to the development needs of the majority of the people of the world.

Principle 25

States shall resolve their environmental disputes peacefully in accordance with the Charter of the United Nations.

Principle 26

States and peoples shall cooperate in good faith and in a spirit of partnership in the implementation of the principles embodied in this Charter and further develop international law in the field of sustainable development.